

Steven R. Marino
DLA PIPER LLP (US)
51 John F. Kennedy Parkway, Suite 120
Short Hills, New Jersey 07078
T: 973-520-2544
F: 973-520-2584
steven.marino@dlapiper.com
*Attorneys for Defendants Immunomedics, Inc.
and Peter P. Pfreundschuh*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

JESSICA FERGUS, Individually and On
Behalf of All Others Similarly Situated,

Plaintiff,

v.

IMMUNOMEDICS, INC., CYNTHIA L.
SULLIVAN, PETER P. PFREUNDSCHUH,
and DAVID GOLDBERG,

Defendants.

Civil Action No. 2:16-cv-3335-KSH-CLW

**[PROPOSED] STIPULATION AND
CONSENT ORDER REGARDING
SERVICE AND BRIEFING SCHEDULE**

Plaintiff Jessica Fergus (“Plaintiff”) and Defendants Immunomedics, Inc., Cynthia L. Sullivan, Peter P. Pfreundschuh, and David Goldenberg (collectively, “Defendants”), through their respective counsel, stipulate as follows:

WHEREAS, Plaintiff initiated this action on June 9, 2016 (D.E. 1);

WHEREAS, this Court entered an Order Granting Motion to Consolidate Cases, Appoint Lead Plaintiff and Liaison Counsel on February 2, 2017 (D.E. 14);

WHEREAS, Plaintiff filed a Consolidated Complaint on October 4, 2017 (D.E. 15);

WHEREAS, Plaintiff and Defendants have conferred regarding service and entering into a briefing schedule for Defendants’ motion to dismiss the Consolidated Complaint;

IT IS HEREBY STIPULATED AND AGREED by and among undersigned counsel that:

1. Defendants will accept service of process as of December 4, 2017. In doing so, Defendants will not assert as defenses insufficient process or insufficient service of process under Federal Rules of Civil Procedure 12(b)(4) and 12(b)(5);

2. The following briefing schedule will govern Defendants' motion to dismiss the Consolidated Complaint:

- a. Moving Papers Due: Thursday, January 18, 2018
- b. Opposition Papers Due: Monday, March 5, 2018
- c. Reply Papers Due: Wednesday, April 4, 2018

The undersigned counsel of record hereby indicate their consent to the form and entry of this Order.

Dated: December 7, 2017

LITE DEPALMA GREENBERG, LLC

s/ Bruce D. Greenberg
Bruce D. Greenberg
570 Broad Street, Suite 1201
Newark, New Jersey, 07102
T: 973-623-3000
F: 973-623-0858
bgreenberg@litedepalma.com

*Counsel for Plaintiff and Liaison Counsel for
the Putative Class*

DLA PIPER LLP (US)

s/ Steven R. Marino
Steven R. Marino
51 John F. Kennedy Pkwy, Suite 120
Short Hills, New Jersey 07078
T: 973-520-2544
F: 973-520-2551
steven.marino@dlapiper.com

*Counsel for Defendants Immunomedics, Inc.
and Peter P. Pfreundschuh*

MORRIS JAMES LLP

s/ Albert H. Manwaring, IV

Albert H. Manwaring, IV
500 Delaware Avenue, Suite 1500
Wilmington, Delaware 19801-1494
T: 302- 888-6868
F: 302-571-1750
AManwaring@morrisjames.com

*Counsel for Defendants David M. Goldenberg
and Cynthia L. Sullivan*

Dated: December __, 2017

Honorable Cathy L. Waldor, U.S.M.J.